The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 26

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MAMORU UEDA

Appeal No. 2001-2013
Application No. 08/869,592

ON BRIEF

Before KRASS, JERRY SMITH, and GROSS, ***Administrative Patent Judges***.
GROSS, ***Administrative Patent Judge***.

DECISION ON APPEAL

This is a decision on appeal from the examiner's final rejection of claims 3 through 5 and 10 through 13, which are all of the claims pending in this application. Claims 1, 2, and 6 through 9 have been canceled.

Appellant's invention relates to a signal processing apparatus which divides an input signal into a plurality of pixel blocks, shuffles the blocks, adds header information including timing and shuffling data to the shuffled blocks, and performs a DCT process on the shuffled blocks. Claim 10 is illustrative of the claimed invention, and it reads as follows:

10. Apparatus for processing a signal, comprising:

a plurality of signal processing circuits, which are sequentially connected;

at least a first of said plurality of signal processing circuits including means for dividing and shuffling an input signal into predetermined units;

at least a second of said plurality of signal processing circuits including means for adding header information which includes timing data and shuffling data to each of said predetermined units of said input signal; and

wherein signal processing circuits succeeding said at least a second of said plurality of signal processing circuits perform predetermined signal processing on said predetermined units of said input signal in accordance with said timing data and said shuffling data included in said header information contained therein without regard to processing delays of said signal processing circuits to generate units of data.

The prior art references of record relied upon by the examiner in rejecting the appealed claims are:

Gonzales et al. (Gonzales)	5,289,577	Feb. 22, 1994
Smidth et al. (Smidth)	5,301,018	Apr. 05, 1994
	(effectively filed	Feb. 13, 1991)
Siracusa	5,483,287	Jan. 09, 1996
	(effectively filed	Jun. 19, 1992)

Claims 12 and 13 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Smidth.

Claims 3 through 5, 10, and 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over Gonzales in view of Siracusa and Smidth.

Reference is made to the Examiner's Answer (Paper No. 21, mailed September 25, 2000) for the examiner's complete reasoning in support of the rejections, and to appellant's Brief (Paper No.

20, filed June 29, 2000) and Reply Brief (Paper No. 22, filed November 29, 2000) for the appellant's arguments thereagainst.

OPINION

We have carefully considered the claims, the applied prior art references, and the respective positions articulated by appellant and the examiner. As a consequence of our review, we will reverse both the anticipation rejection of claims 12 and 13 and also the obviousness rejection of claims 3 through 5, 10, and 11.

Claim 12 recites "means for adding a pixel block number corresponding to said shuffle address to each of said shuffled data," and "means for adding said DCT block number to said DCT data so that said DCT block number will be utilized in a succeeding signal processing circuit." The examiner, referring to Smidth, column 9, line 60-column 11, line 15, asserts (Answer, page 5) that Smidth assigns a block number indicia to each shuffled block "so that it can be identified and manipulated by the shuffling equation defining the algorithm." The examiner (Answer, page 6) points to Smidth's disclosure of an output image block number c and contends that such disclosure indicates that the block number is ***"output to the deshuffling circuit."***

Claim 12, however, requires that the block number be ***added to the data*** (to the shuffled data and subsequently to the DCT

data). Nowhere does Smidth add a block number to the data. Smidth, using the algorithm at the bottom of column 9, merely determines the order in which various blocks are selected for shuffling. Nothing is added to the data.

Similarly, claim 13 requires that the quantization level be ***added to the data*** (both to the coded data and also to the quantized data). Smidth determines and uses quantizing factors, but nowhere does Smidth indicate that the quantizing level is added to the data. Accordingly, we cannot sustain the anticipation rejection of claims 12 and 13.

Regarding independent claim 10, the examiner admits that Gonzales fails to disclose shuffling the data and adding timing and shuffling information in the header. The examiner turns to Siracusa for including timing information in the header and to Smidth for shuffling the data. However, although Smidth discloses shuffling data, Smidth does not disclose or suggest adding shuffling information to the header. As neither Gonzales nor Siracusa teaches or suggests adding shuffling information to the header either, we cannot sustain the rejection of claim 10 and its dependents, claims 3 through 5 and 11.

CONCLUSION

The decision of the examiner rejecting claims 12 and 13 under 35 U.S.C. § 102 is reversed. The decision of the examiner rejecting claims 3 through 5, 10, and 11 under 35 U.S.C. § 103 is likewise reversed.

REVERSED

ERROL A. KRASS Administrative Patent Judge	)	
JERRY SMITH Administrative Patent Judge	)	BOARD OF PATENT APPEALS AND INTERFERENCES
ANITA PELLMAN GROSS Administrative Patent Judge	)	

APG:clm

Appeal No. 2001-2013
Application No. 08/869,592

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151